

REVISED

Formal Meeting Agenda



Tempe City Council November 18, 2004

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 East Fifth Street
7:30 p.m.

1. INVOCATION - Councilmember Hutson
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Arredondo
 - A. Approval of Council Meeting Minutes
 1. Formal Council Meeting – October 21 & 28, November 4 & 8, 2004
[20041118clrkck02.pdf](#) [20041118clrkck01.pdf](#) [20041118clrkck03.pdf](#)
[20041118clrkck04.pdf](#)
 2. Council Transportation Committee – October 26, 2004 [20041118ctc01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 3. Board of Adjustment – September 22, 2004 [20041118boa01.pdf](#)
 4. Hearing Officer – November 2, 2004 [20041118hoa01.pdf](#)
 5. Historic Preservation Commission – October 7, 2004 [20041118hpc01.pdf](#)
 6. Mayor's Youth Advisory Commission – October 19, 2004 [20041118myac01.pdf](#)
4. REPORTS AND ANNOUNCEMENTS
 - A. Mayor's Announcements
 - ***Community Service Award***
 - B. Manager's Announcements
5. AGENDA

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

A. Miscellaneous Items

7. Request approval of the Report of Claims Paid to be Filed for Audit for the weeks of October 24 & 31, 2004.

COMMENTS: A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

8. Request authorization for the Mayor to execute a Termination of Lease and Short Form Memorandum of Lease with Angels Baseball, LP.

DOCUMENT NAME: [20041118casv01.pdf](#) **DIABLO STADIUM (0706-12)**

9. Request authorization for the City Attorney to enter into a settlement agreement with Cox Communications regarding the refund of transaction privilege tax to Tempe Cox customers.

DOCUMENT NAME: [20041118casv02.pdf](#) **COX ARIZONA COMMUNICATIONS (0802-11)**

10. Request authorization for the Mayor to sign Amendment #1 to Intergovernmental Agreement (#C2004-18) with Maricopa County for special transportation services.

COMMENTS: Amendment reflects a cost increase for fuel costs and an increase in Maricopa County's department-wide indirect rate. The cost per trip for FY 2004/2005 will increase from \$9.05 to \$14.02.

DOCUMENT NAME: [20041118PWgj01.pdf](#) **PUBLIC TRANSIT (1106)**

11. Request authorization for the Mayor to sign an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA) for Dial-A-Ride services.

COMMENTS: The term of this agreement shall be through June 30, 2012, with annual amendments to account for changes in costs and service levels.

DOCUMENT NAME: [20041118PWgj02.pdf](#) **PUBLIC TRANSIT (1106)**

12. Request authorization for the Mayor sign an amendment to Intergovernmental Agreement (C2004-99) with the Regional Public Transportation Authority (RPTA) for transit services.

COMMENTS: The FY 2004/2005 amendment adjusts the overall mileage, routes, and

costs managed by both the RPTA and City of Tempe. Tempe's financial obligation to RPTA for FY 2004/2005 decreased by 1.5%.

DOCUMENT NAME: [20041118PWgj03.pdf](#) **PUBLIC TRANSIT (1106)**

13. Request authorization for the Mayor sign an Intergovernmental Agreement with the City of Phoenix for transit services.

COMMENTS: Term of the agreement shall be through June 30, 2009. For FY 2004/2005, the City of Phoenix will provide approximately 249,400 miles of fixed route bus service on Route 1, Route 44 and the Red Line.

DOCUMENT NAME: [20041118PWgj04.pdf](#) **PUBLIC TRANSIT (1106)**

14. Request approval to increase the contract award by \$2,124 with Hackney Emergency Vehicles for the purchase of two Chemical Biological Nuclear Explosives Incident Response vehicles.

COMMENTS: Increase from \$380,711 to \$382,835.

DOCUMENT NAME: [20041118fssl05.pdf](#) **PURCHASES (1004-01) T04-073-01**

15. Request approval to utilize a City of Phoenix contract #04-220(DB) with American LaFrance for a heavy rescue vehicle.

COMMENTS: Total cost of this contract shall not exceed \$520,526.

DOCUMENT NAME: [20041118fssl09.pdf](#) **PURCHASES (1004-01) #04-220**

16. Request approval to increase the construction contract with MGC Contractors, Inc., by \$650,000 for the construction of the Disinfection Technology and Marigold Lane Improvements Project, and to increase the original contingency by \$200,000.

COMMENTS: Increase the contract from \$10,947,332 to \$11,597,332 and increase the contingency from \$300,000 to \$500,000.

DOCUMENT NAME: [20041118PWTG05.pdf](#) **JOHNNY G. MARTINEZ WATER TREATMENT PLANT (0902-14) PROJECT NO. 3201092**

17. Request approval of an addendum to a professional services contract with Damon S. Williams Associates for the Southern Avenue Interceptor (SAI) Diversion Structure Improvements.

COMMENTS: Total amount of the addendum shall not exceed \$26,572, subject to the execution of the final written addendum.

DOCUMENT NAME: [20041118PWTG01.pdf](#) **WATER MAIN UPGRADES (0810-04) PROJECT NO. 3200101**

18. Request for a Final Subdivision Plat by Palo Verde Industrial Park consisting of two lots at 2605 South Industrial Park Avenue.

COMMENTS: (Jerry Ivy, property owner) #SBD-2004.68 for two (2) lots on 2.99 net acres.

DOCUMENT NAME: [20041118dssl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

19. Request for a Final Subdivision Plat by D & A at Dorsey Crossing consisting of 3 lots at 1243 East Broadway Road.

COMMENTS: (Assen Dorikov, property owner) #SBD-2004.66 for 1 lot on 1.05 net acres.

DOCUMENT NAME: [20041118dsrl04.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *20. This is a public hearing to recommend the **denial** of a Series 12 Restaurant Liquor License for TCBRN, LLC, The Loft, 420 S. Mill Avenue.

COMMENTS: Brandon P. Shriver, Agent. At the October 28, 2004 meeting, Council approved the denial of this liquor license. At the November 4, 2004, Council approved reconsideration of this item, and that is why the original item is back before Council at the November 18, 2004 meeting.

DOCUMENT NAME: [20041118LIQ6.pdf](#) **LIQ LIC (0210-02)**

- *21. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Claim Jumper Restaurants, LLC, dba Claim Jumper Restaurant, 1530 W. Baseline Road.

COMMENTS: Amy Nations, Agent

DOCUMENT NAME: [20041118LIQ1.pdf](#) **LIQ LIC (0210-02)**

- *22. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor License for QuikTrip Corporation, dba QuikTrip #429, 1545 N. Scottsdale Road.

COMMENTS: David Cisiewski, Agent

DOCUMENT NAME: [20041118LIQ2.pdf](#) **LIQ LIC (0210-02)**

- *23. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor License for Nogales LCT, LLC, dba The Shammy Man Car Wash, 7700 S. Autoplex Loop.

COMMENTS: Reginald Fowler, Agent

DOCUMENT NAME: [20041118LIQ3.pdf](#) **LIQ LIC (0210-02)**

- *24. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Tempe Pizza Partners, LLC, dba Fatman's Pizza, 2155 E. University Drive, #112.

COMMENTS: David G. Bee, Agent

DOCUMENT NAME: [20041118LIQ4.pdf](#) **LIQ LIC (0210-02)**

- *25. This is a public hearing to recommend the **approval** of a Series 6 Bar Liquor License for Sound Bites Restaurant, LLC, dba Phase 54, 1700 W. Drake Drive, #1.

COMMENTS: Jon Harris, Agent

DOCUMENT NAME: [20041118LIQ5.pdf](#) LIQ LIC (0210-02)

B. Award of Bids

26. Request to award a one-year contract with two (2) one-year renewal options to Willdan, as a primary contractor, and to Linhart Petersen Powers Associates, as a secondary contractor, for plan check services.

COMMENTS: Subject to the execution of the final written contract. Total cost for this contract shall not exceed \$60,000 during the initial contract period.

DOCUMENT NAME: [20041118fslq01.pdf](#) PURCHASES (1004-01) RFP#05-020

27. Request to award a one-year contract with two (2) one-year renewal options to Chalum, Inc., for liquid aluminum sulfate.

COMMENTS: Subject to the execution of the final written contract. Total cost for this contract shall not exceed \$350,000 during the initial contract period.

DOCUMENT NAME: [20041118fst02.pdf](#) PURCHASES (1004-01) IFB#05-041

28. Request to award a one-year sole source contract to AlphaCorp for software maintenance of the City's document imaging system.

COMMENTS: Subject to the execution of the final written contract. Total cost for this maintenance shall not exceed \$35,039 during the contract period.

DOCUMENT NAME: [20041118fst03.pdf](#) PURCHASES (1004-01) 05-065

29. Request to award a one-year contract with two (2) one-year renewal options to Norwood Equipment Inc., for the purchase of two street sweepers.

COMMENTS: Subject to the execution of the final written contract. Total cost for this contract shall not exceed \$321,468 during the initial contract period.

DOCUMENT NAME: [20041118fsdl04.pdf](#) PURCHASES (1004-01) RFP#05-056

30. Request to award a one-year contract with two (2) one-year renewal options to Goodmans Interior Structures, Emerlings Office Interiors, and Facilitec, Inc., for furniture and related support services.

COMMENTS: Subject to the execution of the final written contract. Total cost for this contract shall not exceed \$200,000 during the initial contract period.

DOCUMENT NAME: [20041118fst06.pdf](#) PURCHASES (1004-01) IFB#05-026

31. Request to award a one-year sole source contract to Public Safety Systems, Inc., for software maintenance of the Police Department's computer-aided dispatch system and incident/crime information system.

COMMENTS: Subject to the execution of the final written contract. Total cost for this maintenance shall not exceed \$44,700 during the contract period.

DOCUMENT NAME: [20041118fst07.pdf](#) **PURCHASES (1004-01) 05-080**

32. Request to award a one-year sole source contract to Hansen Information Technologies for software maintenance and development of City's Infrastructure Management System.

COMMENTS: Subject to the execution of the final written contract. Total cost for this maintenance shall not exceed \$150,000 during the contract period.

DOCUMENT NAME: [20041118fst08.pdf](#) **PURCHASES (1004-01) 05-081**

33. Request approval of a professional services contract with Stantec Consulting, Inc., for the University Drive Waterline Improvements.

COMMENTS: Subject to the execution of the final written contract. Total cost for this contract shall not exceed \$136,152.

DOCUMENT NAME: [20041118PWTG02.pdf](#) **WATER MAIN UPGRADES (0810-04) PROJECT NO. 3201672**

34. Request approval of a professional services contract with Burgess & Niple, Inc., for design of the Apache Boulevard Waterline Replacement Project.

COMMENTS: Mill Avenue to the Tempe Canal. Subject to execution of the final written contract. Total cost of the contract shall not exceed the amount of \$343,564.

DOCUMENT NAME: [20041118PWTG04.pdf](#) **WATER MAIN UPGRADES (0810-04) PROJECT NO. 3201681**

- C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- *35. This is the **introduction and first public hearing** to authorize the Mayor to execute the Playa Del Norte Development Parcel Agreement for the "Weststone" Project. **The second public hearing is set for December 9, 2004.**

DOCUMENT NAME: [20041118rsca01.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03) ORDINANCE NO. 2004.51**

- *36. This is the **introduction and first public hearing** to amend Chapter 7, Article VI, relating to Bicycle Advisory Committee, and Chapter 2, Article V, Division 8 relating to Transportation Commission. **The second public hearing is set for December 9, 2004.**

COMMENTS: Authorizing merger of the Bicycle Advisory Committee and Transportation Commission.

DOCUMENT NAME: [20041118pwcdl01.pdf](#) TCC CH2 CITY CODE
ADMINISTRATION (0503-02) ORDINANCE NO. 2004.52

D. Ordinances and Items for Second Hearing/Final Adoption

- *37. This is the **second public hearing** to amend Chapter 17 of the Tempe City Code relating to Massage Therapists and Establishments.

DOCUMENT NAME: [20041118cacc01.pdf](#) TCC CH 17 – MASSAGE
ESTABLISHMENTS ORDINANCE NO. 2004.49

- *38. This is the **second public hearing** to authorize the Mayor to execute a Lease Agreement between the City of Tempe and Angels Baseball, LP, for Tempe Diablo Stadium.

DOCUMENT NAME: [20041118csmr01.pdf](#) DIABLO STADIUM (0706-12)
ORDINANCE NO. 2004.50

- *39. This is the **second public hearing** for a 5th Amendment to the Preliminary P.A.D. for Fountainhead Corporate Park at 1535 W. Broadway Road.

COMMENTS: (Birtcher Arizona for Amberjack, Ltd, property owner, and Balmer Architectural Group, Applicant) #SPD-2004.73 for a 5th Amended Preliminary Planned Area Development consisting of 1,896,400 square feet of total building area on 74.58 gross acres.

DOCUMENT NAME: [20041118dsdk02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *40. This is the **second public hearing** for a Preliminary and Final Planned Area Development for Fountainhead Park Plaza located at 2625 S. Plaza Drive.

COMMENTS: (Amberjack, Ltd., property owner) #SPD-2004.74 for a Preliminary and Final Planned Area Development for Fountainhead Park Plaza, a portion of Sites 3 & 4 of Fountainhead Corporate Park (Lot 6 of the Replat) located on 6.12 acres and consisting of 101,300 square feet of office building.

DOCUMENT NAME: [20041118dsdk01.pdf](#) **PLANNED DEVELOPMENT (0406)**

E. Resolutions – None.

6. **PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per

speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

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